

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK**

NATIONAL AUDUBON SOCIETY,

Plaintiff,

v.

DAVID BERNHARDT, *et al.*,

Defendants,

BOROUGH OF AVALON, *et al.*,

Defendant-Intervenors.

Case No. 20-cv-5065 (LJL)

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and pursuant to Federal Rule of Civil Procedure 56 and the Administrative Procedure Act, 5 U.S.C. § 706(2), Plaintiff hereby moves this Court for summary judgment on its first, third, and fourth claims for relief, and to vacate the final agency action set forth in the November 4, 2019 letter from Secretary of the Interior David Bernhardt to Representative Jeff Van Drew.

Dated: November 6, 2020.

Respectfully submitted,

/s/ Travis Annatoyn

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